

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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TEMSA ULASIM ARACLARI SANAYI
VE TICARET A.S.,

Plaintiff,

v.

TC NEVADA, LLC, MICHAEL
HAGGERTY, JOHN P. HAGGERTY, and
OLGA F. HAGGERTY,

Defendants.

Case No. 2:18-cv-01738-APG-EJY

ORDER

Pending before the Court is Plaintiff's Unopposed Motion for Leave to Serve Deposition Subpoenas on Third-Party Witnesses Shawn Haggerty Mackin and Steve Sacamos by Alternative Means (ECF No. 107). The Court finds Plaintiff made serious attempts to effect personal service on Shawn Haggerty Mackin and Steve Sacamos on more than one occasion. *Id.* Ms. Mackin appears to be refusing service despite finding her at home and Mr. Sacamos cannot be located at his home or work after diligent efforts to effect service ordinarily accomplished under Federal Rule of Civil Procedure 45. "Fed. R. Civ. P. 45(b)(1) does not require personal service and that an alternative means of service, usually by certified mail or overnight courier, is acceptable so long as service reasonably insures actual receipt of the subpoena." *Westgate LVH, LLC v. Trustees of Nevada Resort Ass'n*, Case No. 2:17-cv-01731-RFB-NJK, 2018 WL 11445543, at *1 (D. Nev. July 16, 2018) (granting plaintiff's motion to serve a deposition subpoena on third party witness by alternative means).

Accordingly, IT IS HEREBY ORDERED that Plaintiff's Unopposed Motion for Leave to Serve Deposition Subpoenas on Third-Party Witnesses Shawn Haggerty Mackin and Steve Sacamos by Alternative Means (ECF No. 107) is GRANTED.

IT IS FURTHER ORDERED that Plaintiff must attempt service by certified mail **and** overnight courier (such as Federal Express or UPS) on Shawn Mackin and Steve Sacamos at their

1 home and business addresses providing each with at least fourteen (14) days of advance notice for
2 the date, time, and location of their depositions.

3 Dated this 15th day of October, 2024.

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5 ELAYNA J. YOUCHAH
6 UNITED STATES MAGISTRATE JUDGE
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